

Remarks/Arguments:

The application was filed with original Claims 1-17.

Claims 12 and 13 are canceled.

Claim 14 is rewritten in independent form to include all of the limitations of the base claim and any intervening claim. Newly independent Claim 14 includes one new additional limitation. That is, newly independent Claim 14 states that transverse grooves are impressed in the work piece, to define transverse fold lines.

Claims 1, 8, 9, 14, and 17, are also amended.

Claims 1-11 and 14-17 are pending in the application as presently amended.

Claim 10 stands rejected under 35 USC § 112.

Claims 1, 3-5, 8, 12, and 13, are rejected under 35 USC § 102(b) as fully anticipated by the Freiborg '294 patent.

Claims 2, 9, 10, and 11, are rejected under 35 USC § 103(a) as being obvious over the Freiborg '294 patent in view of the Pressutti, et al. '711 patent.

Rejections under 35 USC § 112

Claim 10 stands rejected under the above-identified section because of a typographical error in independent Claim 9, from which Claim 10 depends. Because of this typing error, several words were omitted from Claim 9, and a lack of antecedent basis was created in Claim 10. Claim 9 is amended to correct the typographical error, and to provide the antecedent basis for Claim 10.

Rejections under 35 USC § 102(b)

Claims 1, 3-5, 8, 12, and 13, are rejected under 35 USC § 102(b) as fully anticipated by the Freiborg '294 patent. Claims 12 and 13 are cancelled by this response. With respect to Claims 1, 3-5, and 8, this rejection is respectfully traversed in view of the following reasons.

The Freiborg '294 patent is believed to teach a high profile ridge cover in which a trapezoidally shaped work piece of shingle roofing material is back folded on itself intermediate of its length to provide a thickened portion, and then is partially folded lengthwise. A T-shaped slit is provided in the work piece in order to allow adjacent portions of the work piece to separate as the thickened portion is folded. In order to facilitate the folds intermediate of the length of the work

piece, Freiborg '294 proposes to provide transverse slits or indenting or score lines. However, Freiborg '294 acknowledges at column 4, lines 25-28 the problems of getting the asphalt composition material to fold at the locations desired. In fact, the commercial product made using the Freiborg '294 patent has for years actually employed aligned slits to define the fold lines in the shingle ridge covers. And, these aligned slits, which are short cuts entirely through the asphalt composition material, frequently cause the shingle ridge covers to break or fracture along the fold lines, especially in cold weather. Freiborg '294 acknowledges at column 4, lines 47-54 that short slits have been used to define the transverse fold lines. At this same passage, Freiborg '294 states that scoring is preferred, because it removes some material and makes a defined fold line on the asphalt composition material, and prevents material build up in the folds.

On the other hand, amended Claim 1 recites a folded ridge cover comprising, inter alia, an elongate sheet of flexible composition sheet shingle material which is transversely back folded on itself at plural centrally disposed spaced apart transverse fold lines intermediate the length of said sheet to define a central transverse thickened portion for said ridge cover. This ridge cover is also stated to include plural spaced apart centrally and alternately disposed transverse impressed grooves each extending across said elongate sheet from side to side thereof and each for defining respective locations of said plural transverse fold lines. In other words, the plural spaced apart grooves are impressed, and are not score lines and are not slits. Further, the impressed grooves are alternately disposed, meaning that they alternate on the opposite faces of the ridge cover.

This is not the invention taught by Freiborg '294. Freiborg '294 specifically teaches the desirability of slitting or scoring the asphalt composition material from which Freiborg's ridge cover is made in order to make the material fold at a particular location. So, Freiborg '294 either cuts through the material (which weakens the material) or scores the material (which removes material from the ridge cover) in order to define fold locations. In contrast, the ridge cover taught by amended Claim 1 has no transverse cuts, and no transverse score lines (so that material is not removed from the inventive ridge cover at the transverse impressed alternating grooves).

Accordingly, amended Claim 1 is respectfully submitted to present patentably novel subject matter over the applied Freiborg '294 patent.

Claims 2-7 depend from amended Claim 1, and are submitted to be allowable on the same basis as the independent Claim from which they depend.

Independent Claims 8, and 14 are amended similarly to Claim 1, in order to recite that the transverse grooves in the work piece are impressed. Further, Claim 8 states that the impressed grooves are alternately disposed. In view of the comments above, it is submitted that amended Claims 8 and 14 present novel subject matter over the Freiborg '294 patent.

Claims 15-17 depend from independent Claim 14 and are submitted to be allowable on the same basis as the independent Claim from which they depend. Please note that Claim 17 is amended merely to correct dependency of this claim.

Rejections under 35 USC § 103(a)

Claims 2, 9, 10, and 11, are rejected under 35 USC § 103(a) as being obvious over the Freiborg '294 patent in view of the Pressutti, et al. '711 patent.

Claim 2 depends from Claim 1 and is submitted to be allowable on the same basis as the independent Claim from which it depends.

Claims 10 and 11 depend from Claim 9 and are submitted to be allowable on the same basis as the independent Claim from which they depend.

Claim 9 is amended as noted above to correct a typographical error, which error caused the lack of antecedent basis problem noted by the Examiner. This rejection is respectfully traversed with respect to amended Claim 9 in view of the following reasons.

Amended Claim 9 recites a manufacturing intermediate article for making plural ridge covers. This manufacturing intermediate article is shown, for example, in Figures 4, 5, and 15 of the present application as filed. It is noted in the comments to the rejection of Claim 9 that the Office Action refers to the ridge covers as being integrally joined in order to better pack them during transpiration. This statement reflects a misunderstanding of the subject matter of Claim 9. The ridge covers are not integrally joined after the manufacturing operations are completed. That is, the ridge covers are not integrally joined for packing them or during transportation.

On the other hand, the ridge covers are integrally joined during part of the manufacturing operation itself (hence, the "manufacturing intermediate article" language of Claim 9). This manufacturing intermediate article could be an article of manufacture in its own right.

Moreover, the manufacturing intermediate article of Claim 9 is an elongate strip of the composition shingle roofing material, into which plural ridge cover work pieces have been formed, but which are not yet separated out of the work piece. Further, Claim 9 recites that the

10

plural ridge cover work pieces are joined together to define a longitudinal centrally disposed line of symmetry for the manufacturing intermediate article. Neither Freiborg '294, nor Pressutti '711 teach or suggest such a manufacturing intermediate article. Figure 4 of Pressutti '711 has no such line of symmetry as is recited by Claim 9.

Accordingly, amended Claim 9 is respectfully submitted to present novel and patentably unobvious subject matter over the cited references.

In view of this amendment, both reconsideration and allowance of the Claims pending in this application are respectfully requested. The Examiner is invited to telephone the undersigned at the number set out below if such will further or expedite prosecution of this application.

Respectfully submitted,

Dated: 7/11/05

By Terry L. Miller
Terry L. Miller
Reg. No. 29,568
Attorney for Applicant

Law Offices of Terry L. Miller & Associates
24832 Via San Fernando
Mission Viejo, Ca 92692
(949) 951-8456 (voice and facsimile)
e-mail: TLMpatents@AOL.com